

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BENTLEY A. HOLLANDER	:	CIVIL ACTION
	:	
v.	:	
	:	
B. BRAUN MEDICAL, INC.	:	NO. 10-835

ORDER

AND NOW, this 12th day of April, 2011, upon consideration of the defendant's Motion to Dismiss (Docket No. 28), the opposition, reply, and supplemental briefing thereto, and following oral argument held on April 8, 2011, IT IS HEREBY ORDERED, for the reasons stated in a memorandum of law bearing today's date, that the motion is GRANTED IN PART and DENIED IN PART. IT IS FURTHER ORDERED that:

1. Counts VIII-IX (8-9), XLVIII-LII (48-52), LVI-LVII (56-57), LXV-LXVI (65-66), LXX-LXXXV (70-85) of the amended complaint are DISMISSED.
2. The motion is DENIED in all other respects.
3. On or before April 19, 2011, the parties shall submit a proposed schedule for the remainder of this action.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.